

February 1, 2023

Honourable Steve Clark
Minister of Municipal Affairs & Housing
Ministry of Municipal Affairs & Housing
Province of Ontario
777 Bay Street, 17th floor
Toronto, Ontario
M7A 2J3

Dear Minister Clark:

RE: SUBMISSION ON OPA 570 – ERO #019-5937; MINISTRY #20-OP-227259
125 THE QUEENSWAY, TORONTO
OUR FILE: 20392'A'

On behalf of our client 125 The Queensway Inc. ("Fiera") please accept this submission regarding the review by the Province of the City of Toronto's Official Plan Amendment 570 ("OPA 570") respecting the lands located at 125 The Queensway (hereinafter the "Subject Lands") and shown below on **Figure 1**.

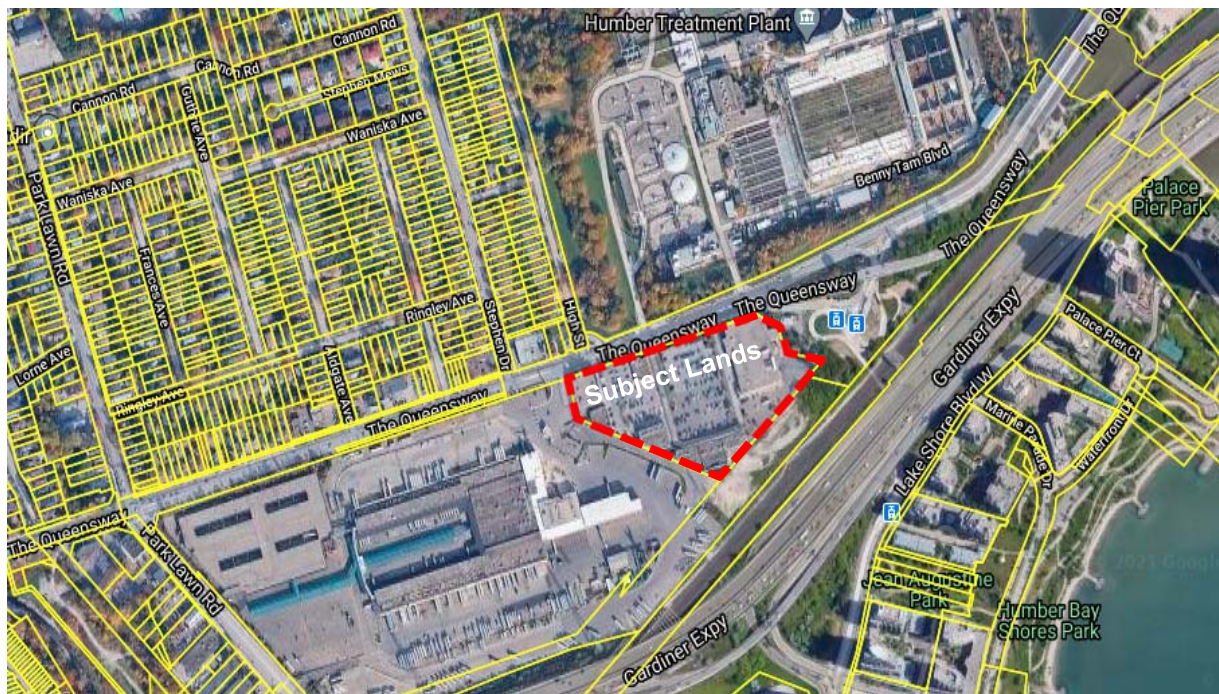


Figure 1 – Location of the Subject Lands (shown in red)

The Subject Lands are well positioned in that they will be serviced by existing transit and are within a 10 minute (400 metre) walk to the planned Park Lawn GO Station, as shown below in **Figure 2**. This connectivity will be increased from what exists today, given the City is planning a public road connection between Lake Shore Boulevard West and The Queensway in proximity to the Subject Lands (the road is currently in the EA stage).

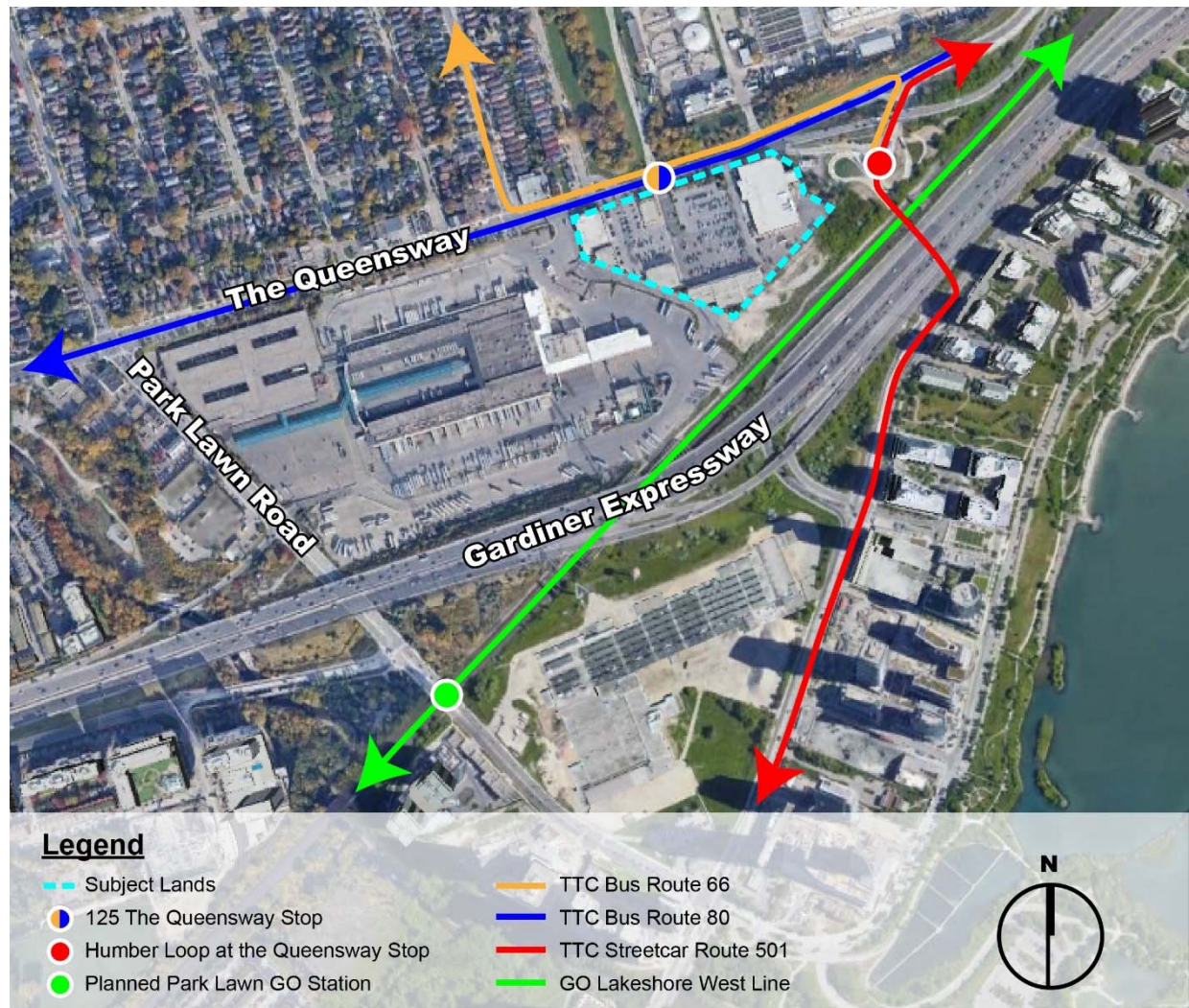


Figure 2 – Existing and Planned Transit Servicing 125 The Queensway

We are providing this letter to provide general commentary to the Province on OPA 570 and recommending general revisions to the OPA and specific recommendations for Site and Area Specific Policy 757 ("SASP 757"), the Protected Major Transit Station Area ("PMTSA") for the Park Lawn GO Station, which the Subject Lands are adjacent to but not located within.

Intent of Major Transit Station Areas and Issues with the City's Approach

At the heart of the Growth Plan is the embodiment in policy that lands must be efficiently used and infrastructure, and specifically transit, be optimized. This is clearly set out as the second of the Growth Plan's Guiding Principles:

"Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability"

This is further enunciated in Section 2.1, Context (emphasis added):

*"Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. **Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options.**"*

And:

*"This Plan recognizes transit as a first priority for major transportation investments. It sets out a regional vision for transit, and seeks to align transit with growth by directing growth to major transit station areas and other strategic growth areas, including urban growth centres, and promoting transit investments in these areas. **To optimize provincial investments in higher order transit, this Plan also identifies priority transit corridors and the Province expects municipalities to complete detailed planning for major transit station areas on these corridors to support planned service levels.**"*

The policies dealing specifically with Major Transit Station Areas ("MTSA") (Section 2.2.4) refine these statements with specific directives (emphasis added):

2.2.4.2 *For major transit station areas on priority transit corridors or subway lines, upper-and single-tier municipalities, in consultation with lower-tier **municipalities, will delineate the boundaries of major transit station areas in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station.***

2.2.4.3 *Major transit station areas on priority transit corridors or subway lines will be planned for a **minimum density target** of:*

- a) 200 residents and jobs combined per hectare for those that are served by subways;*
- b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or*
- c) **150 residents and jobs combined per hectare for those that are served by the GO Transit rail network.***

2.2.4.6 *Within major transit station areas on priority transit corridors or subway lines, **land uses and built form that would adversely affect the achievement of the minimum density targets in this Plan will be prohibited.***

2.2.4.9 *Within all major transit station areas, **development will be supported**, where appropriate, by:*

- a) **planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;***

- b) *fostering collaboration between public and private sectors, such as joint development projects;*
- c) **providing alternative development standards**, *such as reduced parking standards;* and
- d) **prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.**

In totality, these policies were intended to incentivize intensification in MTSA and prevent underutilization of land and the transit infrastructure investments made by the Province and the City. With these principles and policies in mind, we provide the following general commentary on the City's MTSA process and specifically the resulting OPA 570 document presented for approval to the Province:

1. MTSA Limits Have Not Been Maximized

The Growth Plan defines MTSA as:

"The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk."



Figure 3 – Comparison of SASP 757 Limits versus Growth Plan 500 to 800 m radius

Our observation is that in many cases the City has not utilized the full 500 to 800 metre radius, rather reducing this to less than 800 metres and in a number of cases to less than 500 metres. This does not fulfill Policy 2.2.4.2 as cited above which requires municipalities to maximize the size of the area and the number of potential transit users that are within walking distance of the station. In the case of area surrounding the Subject Lands, as an example, SASP 757 of OPA 570 sets out a limit far less in many cases than that required by the Growth Plan as shown on **Figure 3** above.

2. The Proposed Minimum Densities Are Artificially Low

Our general observation is that the City has set the minimum densities artificially low and are not reflective of either existing policy direction nor approved or proposed densities in the MTSA. To this effect, even at significantly high density areas (such as Yonge-Eglinton or Yonge-Bloor), the highest minimum density set by the City has been 3.5 FSI.

As part of the OPA 570 process, City staff issued a report dated June 2022, entitled “City-wide 115 Proposed Major Transit Station Area/Protected Major Transit Station Area Delineations: Final Report” identified that the density measures recommended for the various SASPs:

“are based on existing Council-approved development frameworks, including: in effect Official Plan land use designations within the identified areas; as-of-right zoning by-law permissions, density permissions included in secondary plans; and approved developments that have not yet been built.”

We observe that in many instances this statement is not reflected in the minimum densities established in the SASPs of OPA 570. In many instances the SASPs do NOT reflect approved densities, as-of-right zoning permissions nor the City’s approved projects/instruments in various land use designations. For example, in many instances on lands designated *Mixed Use Areas* on major streets it is very common for development to be approved at 3.0 to 5.0 FSI (or more depending on the location – at Yonge and Eglinton the densities approved have exceeded 28 FSI).

Furthermore, the current PPS and Growth Plan further reinforce the need for planning approvals to achieve optimization of land use and infrastructure through an intensification-first approach to growth management. Within this provincial policy framework, the Growth Plan directs planning authorities to go beyond minimum growth targets identified therein, where appropriate. Policy 1.2.3. of the Growth Plan states the following:

“Within the framework of the provincial policy-led planning system, decision-makers are encouraged to go beyond these minimum standards to address matters of importance, unless doing so would conflict with any policy of this Plan.”

The determination of minimum densities within a PMTSA demands a qualitative assessment. Defaulting to the minimums set out in the Growth Plan is not appropriate, particularly where it has already been demonstrated that a greater level of density can be achieved.

Lastly, given that a majority of the MTSA’s are *Neighbourhoods* designated lands, and assigned a 0.5 FSI (or lower), this leads to the conclusion that additional minimum densities are required in proximity to the transit stations in areas designated where further growth can occur (i.e. *Mixed Use Areas, Apartment Neighbourhoods*, specific SASPs) to fulfill the requirements of the Growth Plan.

The conclusion of this planning opinion is that the City has not met its obligations of Policy 2.2.4.2 through these combination of observations. This leads to a lack of incentive for development to occur, potentially leading to an underutilization of land and transit infrastructure not being optimized.

Background of the SASP 757 Area

SASP 757 covers the area surrounding the planned Park Lawn GO Station. The current limits of SASP 757, as shown above, cover areas that have been developed for high rise residential buildings within the former “Etobicoke Motel Strip” as well as the Christie Cookie Factory site which is planned for a high density mixed use community. Having said this, the limits have been significantly curtailed, not extending anywhere near the 800 m capture radius called for by the Growth Plan as shown previously. Of note, it excludes the Subject Lands, as well as other areas which could support the Park Lawn GO Station.

Specific Recommendations for SASP 757 of OPA 570

With the above general observations provided, we request that SASP 757 be modified to reflect increased minimum densities. To this effect, we note the following observations for the SASP 757 area.

1. The MTSA Limits are Significantly Substandard and Do Not Conform to the Growth Plan

As the Growth Plan provides some flexibility in the delineation, we recommend that other areas beyond the 800 m be included to offset these conditions, as shown in **Figure 4** below.

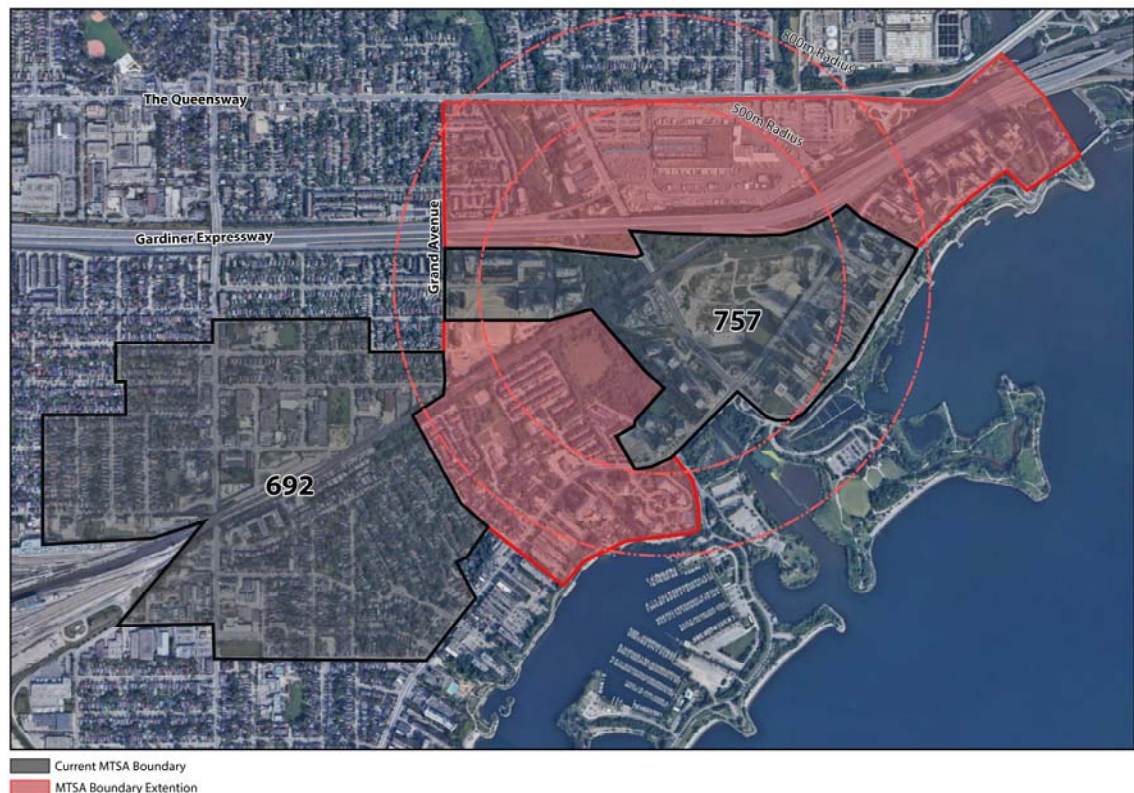


Figure 4 – Expanded PMTSA Boundary

As noted above, the current limits of SASP 757 are very limited and do not extend anywhere near the 800 m capture radius called for by the Growth Plan. It excludes the Subject Lands, as well as other potential development areas which could support the Park Lawn GO Station. While some areas are within the 800 m but are not expected to achieve significant growth (i.e. *Neighbourhoods* areas) or are constrained (i.e. the treatment plant will not develop).

2. Minimum Densities Do Not Reflect Proposed & Approved Developments

As noted above, there has been significant development in this area of Southeast Etobicoke. Development along the Motel Strip has resulted in a high rise community developing. Further, the planned Christie Cookie Factory site is planned for a mixed use, high rise community. This area, including the proposed Christie Cookie Factory redevelopment (at the centre of the image) is depicted in **Figure 5**.



Figure 5– Surrounding Built / Approved and Proposed Developments (Christie Cookie Factory redevelopment in centre)

Densities in this area are significantly higher than what the City has set out in SASP 757 as currently drafted (1.5 and 2.0 FSI). For example:

Location	Proposed / Built Density (FSI)	SASP 757 Proposed Density (FSI)
Christie Cookie Factory Site (Proposed)	6.3	2.0
125 The Queensway (Proposed)	6.64	Not included in SASP limits
251 Manitoba	4.4	1.5
10 Park Lawn	3.9	2.0
36 Park Lawn	4.6	2.0
42 Park Lawn	5.01	2.0

Location	Proposed / Built Density (FSI)	SASP 757 Proposed Density (FSI)
2183 Lake Shore	6.15	2.0
2175 Lake Shore	5.8	2.0
2161 Lake Shore	4.8	2.0
2151-53 Lake Shore	6.3	2.0
2143 Lake Shore	3.12	2.0

It is clear that the City has not appropriately set minimum densities that are reflective of either what is approved / built or proposed in this area. It is therefore recommended that densities be increased accordingly reflective of what has occurred and is proposed in this area of Southeast Etobicoke. These modifications are shown on **Figure 6** below.



Figure 6– Proposed Minimum Densities for SASP 757

Submission Proposes Alternative Minimum Density Mapping Reflecting Current Development Trends

As a final discussion, the recommendations we are proposing would create significant housing units and employment floor area within the MTSAs. The Christie Cookie Factory redevelopment is a recent example, as is the proposal for the redevelopment of our client's proposal on the Subject Lands at 125 The Queensway.

The proposal envisioned for the Subject Lands would be to redevelop the existing single storey retail plaza as a mixed use centre that will consist of a mid-rise building at the northwest portion of the site and six high-rise mixed use towers ranging from 40 to 45 storeys heading further east. The proposal will be accessed from two new public roads. Further a new road is proposed through the Subject Lands by the City connecting Lakeshore Boulevard West to The Queensway, which will provide direct access from the Subject Lands to the planned Park Lawn GO Station. The following is a summary of the overall proposed GFA/FSI for the entire Subject Lands, based on the proposed uses:

Proposed Use	Total GFA (m ²)	Total FSI	Estimated Units or Jobs
Commercial (Retail and Office)	10,663.3	0.31	795 jobs
Residential	218,094.0	6.33	2,827 units
TOTAL	228,757.4	6.64	

Figures 7, 8, 9 and 10 show the proposed redevelopment of the Subject Lands.

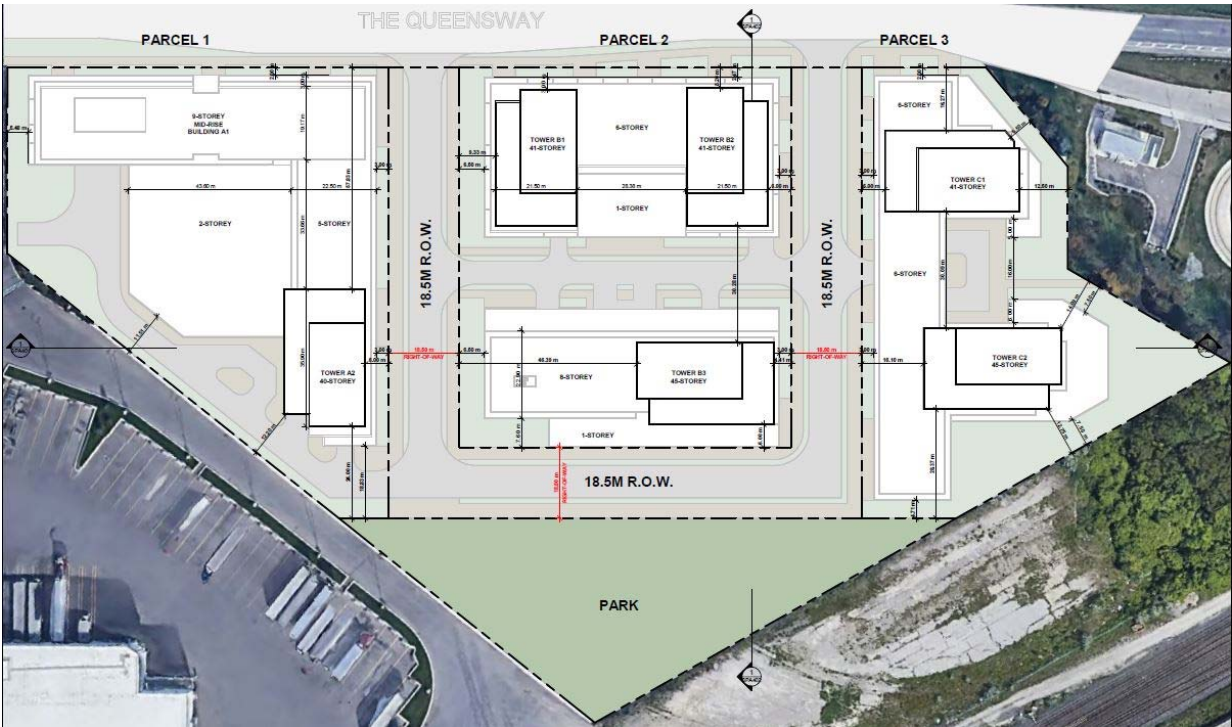


Figure 7 – Conceptual Site Plan for Proposed High-Rise Mixed Use Development Site



Figure 8 – Conceptual Massing of Proposed High-Rise Mixed Use Development (Street View Looking West)



Figure 9 – Conceptual Massing of the Proposed Mixed Use Development (Aerial View Looking Northwest)



Figure 10 – Conceptual Massing of the Proposed Mixed Use Development (Aerial View Looking Southeast)

In addition, a proposed +/- 4,316m² park will be located at the south end of the Subject Lands. The proposed park has a central location that is accessible and connected to all three proposed development parcels, and will be available for the use of future tenants, workers and shoppers anticipated as a result of the overall proposed development.

In our opinion, this example epitomizes the type of intensification required in an MTSA to ensure that the objectives of the Growth Plan are achieved:

- The proposed development is adjacent to existing transit facilities and to the planned Park Lawn GO Station. Given this, the proposed development will provide direct transit connection from the development to higher order transit within the City. The proposed density will support the existing and future transit infrastructure within the area.
- The Proposal provides a mixture of residential unit types and sizes to meet Provincial and City housing targets adding over 2,800 new residential units in proximity to the planned Park Lawn GO Station.
- The massing and scale of the proposed buildings are appropriate given the existing and planned context and will compliment future intensification proposed in the area. The Proposal is considered an appropriate height for a property adjacent to a major street in proximity to the planned Park Lawn GO Station and is reflective of what has been recently constructed in the area and is planned for the Christie Cookie Factory site.

Conclusion

We trust that our opinions on the concerns with OPA 570 as provided herein will be reviewed and considered by the Province. Without development occurring at appropriate densities, an underutilization of the Province's infrastructure investments will occur. The key is to establish appropriate minimum

densities which will incentivize the type of development projects that are being requested in this MTSA. To do so would be in the public interest and would represent good planning.

It is our opinion that the requested revision is appropriate, reasonable and makes OPA 570 clear, and unambiguous and understandable to the public. The revision implements transit supportive development density that will ensure that the development approved in the MTSA optimizes the transit investments made by the Province for this area.

Should you have any questions or require further clarification, please feel free to contact the undersigned.

Thank you.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'David A. McKay', is written over a light orange rectangular background.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc Client
 D. Bronskill, Goodmans LLP